

### **REMARKS/ARGUMENTS**

Claims 1-6 were pending in this application. By this response, claims 1, 2 and 4-6 are amended and new claims 7-15 are added. No new matter has been added by these new claims and support for these claims is found throughout the specification.

Claims 1-2 stand rejected under 35 U.S.C. §102(e) as being anticipated by Maloney, U.S. Patent No. 6,707,381. Claims 3-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Maloney patent in view of Cook et al., U.S. Patent No. 5,701,770. The applicant, however, respectfully disagrees with these positions.

Claim 1, as amended, recites a file cabinet including a housing and a file drawer mounted within said housing. The file drawer is moveable between a first position inside of said housing and a second position extending outside of said housing so as to allow access to the contents of the file drawer. The file cabinet also includes a means for mechanical locking of said file drawer. The means for mechanical locking is movable between a locked position wherein said file drawer is unopenable and an unlocked position wherein said file drawer is openable and free to move between said first and second positions. The file cabinet further includes a biometric data scanner, a computer processor capable of storing sets of biometric data, and with the computer processor operatively coupled to said biometric scanner to enable comparisons to be made between scanned sets of biometric data and stored sets of biometric data, and an actuator operatively coupled to said processor and to said means for mechanical locking. When said biometric data scanner scans a set of biometric data that corresponds to a previously stored set of biometric data and the set of biometric data is authorized to open said file drawer, said computer processor causes said actuator to move said means for mechanical locking from a locked position to an unlocked position for period of time of predetermined duration. As a result, said file drawer may be opened by movement of said file drawer between said first and second positions and thereby allow access to the inside of the file cabinet.

By comparison, Maloney is directed to and teaches a system and an “improved method of tracking objects such as keys, jewelry, and narcotics that incorporates automatic identification and verification of the actual objects being tracked as the objects are checked out and checked back in at a central storage location.” The system comprises a storage cabinet that “includes a portal for receiving and dispensing containers that contain the tracked objects, such as, for example, keys to automobiles. An internal array of storage bins are provided in the cabinet for receiving and holding the containers during the time that they are checked in. The bins may be arranged in a row and column array or may be formed around a rotating carousel. In any event, a container retrieval system in the cabinet is provided for retrieving a requested container from its bin and delivering it to the portal for retrieval by an authorized user. The retrieval system also moves a checked-in container from the portal, into which it is inserted when checked in, to a designated bin for storage.” [Col. 3, Lines 11-31]

The system includes a control computer coupled to the retrieval system that is programmed among other functions “to receive user identification and a user request for a particular object stored in the cabinet. If the user is authorized, the control computer directs the retrieval system to retrieve the security container bearing the requested object from its bin and deliver it to the portal, where it can be retrieved by the user. The control computer also receives instructions from the user that an object and its container is to be checked back in when the user has finished with the object. The user inserts the container into the portal, whereupon the control computer instructs the retrieval system to retrieve the object and move it to a designated bin for storage until it is requested again.” [Col. 3, Lines 32-51] The system also includes elements within the cabinet for verifying that the correct object is actually contained within its designated container, both at check-out and at check-in. [Col. 4, Lines 1-4] These may include a scale, a digital imaging system, or a density or magnetic material detector. [Col. 4, Line 5 to Col. 5, Line 30]

Nothing in Maloney teaches or suggests a file cabinet of the present invention as recited in amended claim 1. Although Maloney describes a cabinet with a lock, a computer

controlled interface and user authorization sensors, this cabinet is not a file cabinet containing file drawers that are moveable from within the file cabinet housing to a position extending outside of the cabinet housing. The Office Action asserts that Fig. 5, Item 67 teaches the cabinet having within a number of containers having file drawers. In fact, this figure is tied to Fig. 6, which clearly shows that inside Maloney's cabinet there is an array of storage bins each "defined by a pair of spaced apart support rails 81 on which a security container rests when present within the bin." [Col. 10, Lines 48-50] In addition, these storage bins do not move from the inside of the storage cabinet to extend outside of the cabinet. Rather a box is placed on the bin's rails when stored and then removed from the bin by an internal lift system and placed at an opening, the portal, in the cabinet. A user then removes the box from inside the cabinet through the portal.

Further, Maloney fails to teach or suggest a file cabinet including an actuator operatively coupled between the mechanical lock and the computer processor. Rather, Maloney's lock 30 is just a lock "for securing the cabinet in its closed condition." [Col. 6, Lines 46-47] The control computer does not control this lock and no actuator is provided that couples the computer to the lock so that the actuator moves the lock from a closed position to an open position at a signal from the computer.

Maloney describes using a biometrics detector 17 to help confirm that the individual requesting a box from the cabinet is an authorized user that should have access to that box or its contents. [Col. 6, Lines 42-45; Col. 13, Lines 43-45] However, as recited in claim 1, when biometric data from a user is scanned and compared to stored biometric data, and it is determined that the user is authorized to open the file drawer, an object/box from inside the cabinet is not handed out to the user. Instead, when the user is authorized through the biometric data comparison, the computer processor causes the actuator to move the mechanical lock from a locked position to an unlocked position. The authorized user may then pull a file drawer of the file cabinet open, extending the drawer outside of the cabinet and providing the user with access to the contents of the drawer and the interior of the cabinet. Maloney specifically teaches away from allowing someone access to the inside of

the cabinet. At least one, and usually two security doors are provided at the portal to keep someone from reaching into the cabinet and taking items from the inside. [Col. 8, Lines 25-40; Col. 17, Lines 21-47] Rather, Maloney's system is specifically for controlling the dispensing of a specific object to the outside of the cabinet.

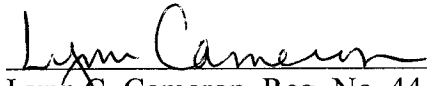
The Office Action asserts that the Cook et al. patent teaches the elements needed to overcome the deficiencies of Maloney. Applicants respectfully disagree. Cook et al. is directed to a gun safe including a box having a hinged door and a secure locking mechanism for that door. Nothing in Cook et al. teaches or suggests the file cabinet of the presently claimed invention, including file drawers and a means of mechanical locking of the cabinet, and the theoretical combination of Maloney and Cook et al. fails to overcome Maloney's deficiencies. Therefore, Maloney alone or in theoretical combination with Cook et al. fail to render claim 1, as amended, unpatentable. Applicants respectfully request withdrawal of the rejections and allowance of this claim.

Claims 2-6, as amended, and new claims 7-15, depend from allowable claim 1. Therefore, these claims are patentable for at least the same reasons set forth above. Applicants respectfully request withdrawal of the rejections and allowance of these claims.

In conclusion, all of the claims remaining in this application should now be seen to be in condition for allowance. A prompt notice to that effect is respectfully solicited. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

Respectfully submitted,

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